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Federal Communications Commission
Office of the Secretary

WT 10-3

December 11, 2009

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Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, S.W.
Washington, D.C. 20554

**Re: Supplement to Request for Modification of Certification to Perform
Frequency Coordination under Part 90 Rules, Wireless Telecommunications
Bureau**

Dear Ms. Dortch:

Pursuant to the Commission's request for additional information, AAA hereby supplements its request of July 7, 2009 for FCC certification to provide frequency coordination in the 700-900 MHz Industrial Business Pool spectrum. In accord with the following, AAA is qualified to provide such services in the competitive marketplace in furtherance of the FCC's desire to serve applicants by providing multiple alternatives for coordination services. The areas specifically addressed herein include representativeness of AAA with regard to the users of the frequencies to be coordinated; overall coordination plan; experience that would support AAA's qualifications to provide those coordination services; technical ability to provide coordination services in the relevant bands; and nationwide coordination capability.

As an initial matter, AAA wishes to clarify the specific portions of the 700-900 MHz frequency band for which it wishes to perform frequency coordination services. In particular, AAA is seeking Commission authority to coordinate applicants that wish to operate in Industrial/Business ("I/B") pool in the Part 90, Subpart S 806-821/851-866 and 896-901/935-940 MHz bands. AAA does not seek authority to perform coordination services for Public Safety Pool applicants.

AAA's Representativeness of Applicants

Since 1902, AAA (American Automobile Association) has represented emergency road service providers (including numerous AAA clubs), with a focus on enhancing driving safety and providing emergency road services. AAA was instrumental in persuading the Commission to create the Automobile Emergency Radio Service frequency allocation. In 1986, when formally appointing frequency coordinators for the various Private Land Mobile Radio Services that had been created over the years, the Commission determined that AAA represented the category of emergency road service providers, and appointed AAA as the frequency coordinator for the Automobile Emergency Radio Service.¹ AAA continues to represent the emergency road service industry to date, and the Commission found that the safety aspects of such road service operations required that AAA maintain exclusive coordination rights over the Automobile Emergency Radio Service channels, even when these channels were consolidated into the Industrial/Business Pool in 1997.² In recent years, emergency road service providers have found it necessary to supplement their spectrum capabilities by establishing systems in the 800-900 MHz bands, especially for data communications. To this end, the following AAA-affiliated auto clubs already hold licenses in the 800-900 MHz bands:

<u>Automobile Club</u>	<u>Call Sign(s)</u>
AAA Arizona, Inc.	WNSK486
AAA Auto Club South	WNZU651
AAA Hawaii, Inc.	WPZN838
AAA Hoosier Motor Club	WNLM827
AAA New Mexico LLC	WPZK314, WPZK315
AAA Southern New England	WNWY420
AAA Texas LLC	WPZK316
Automobile Club of Southern California	KNDH578 and 11 other call signs
California State Automobile Association	KDT583 and 7 other call signs

¹ See Frequency Coordination in the Private Land Mobile Radio Services, *Report and Order*, PR Docket No. 83-737, 103 FCC 2d 1093 (1986) ("Frequency Coordination Report and Order"), at para. 96. The Wireless Telecommunications Bureau reaffirmed this finding in 2001. See, United Telecom Council, *Order*, DA 01-944, 16 FCC Red 8436, released April 18, 2001 (PSPWD), at para. 12.

² Replacement of Part 90 by Part 88 to Revise the Private Land Mobile Radio Services and Modify the Policies Governing Them, *Second Memorandum Opinion and Order*, PR Docket No. 92-235, 14 FCC Red. 8642, 8651 ¶ 18 (1999) (*Second MO&O*).

Thus, AAA is not only representative of the emergency road service industry in general, it is already representative of several licensees in the very bands which it now seeks to coordinate – the 800 and 900 MHz bands. The demand by auto clubs and other road service providers for spectrum in these bands is only going to increase as their operations expand and spectrum becomes scarcer.

In anticipation of the 800 MHz freeze being lifted, and the certain overwhelming pent up demand for this spectrum, AAA has concluded that it is important for the Association to be in a position to coordinate these bands. AAA would serve not only its affiliated automobile clubs in coordinating 800-900 MHz spectrum, but any entities eligible in the Industrial Business Pool, since doing so would increase economies of scale for AAA's Frequency Coordination Department and further sustain the engineering resources that AAA has applied to its coordination efforts.

Overall Coordination Plan

AAA will utilize the same overall coordination plan that the Commission has already approved in connection with AAA's coordination of frequencies below 512 MHz, with appropriate adjustments to apply variations in interference protection standards, etc. applicable to the 800-900 MHz bands. More particularly, based on the technical proposal, applicant information and eligibility statement provided in an application, AAA will determine what if any frequency to recommend for assignment. AAA will examine the potential for harmful interference as an important part of its evaluation, and would prepare a contour analysis if affected stations are detected within the applicable separation distances prescribed by the Commission's rules. The contour analysis would be retained by AAA for at least six months after the application is granted, in case there is any after-the-fact inquiry by the Commission or real world experience dictates modifications to the resulting station. Applicants would be notified by e-mail (when available) and U.S. Mail as to the outcome of their application request. The application would be submitted to the FCC with a statement from AAA that the recommended frequency(ies) and proposed locations are available according to the rules established in DA 09-2301, WT Docket 01-55 or superseding regulations and standards.

Supplemental information provided by the applicant to satisfy the requirements of FCC Rule Section 90.607 would accompany the application to the FCC. Other coordinators will be notified through the electronic inter-coordinator notification system established by mutual agreement of all FCC coordinators, in which AAA and its engineering contractor (RadioSoft) already participates. Of course, the application filing to the FCC will be performed electronically, through the Commissions Universal Licensing System (ULS). The Commission has previously found that the use of an existing coordination plan previously approved by the Commission satisfies the "coordination plan" requirement associated with an application for expanded authority. See, e.g., United Telecom Council, *id.* at para. 11.

The expansion of AAA's authorized coordination powers will help to keep AAA Frequency Coordination relevant to its member clubs and others, and improve the frequency coordination competitiveness for applicant's seeking the 800-900 MHz spectrum. AAA would not have to turn away applicants seeking spectrum in the higher bands, and its coordination department would be able to provide all prospective applicants with a more complete evaluation of potential spectrum solutions for their communications needs. Expanded coordination powers would also help increase the volume of coordinations performed by AAA, which will help to preserve the viability of its coordination department, to the benefit of its members.

AAA will treat each applicant in a completely impartial fashion, and has instructed its engineering contractor to do the same. AAA's resources should not be allowed to go unused in the Commission's efforts to bolster the competitive environment for frequency coordination services.

AAA Experience as a Frequency Coordinator

AAA's experience in providing frequency coordination services is a known element. AAA has been coordinating land mobile applications for over twenty-three (23) years, and has not been the subject of significant complaints, or an inquiry by the Commission for improper or incorrect coordination practices. Its ability, skills, techniques and delivery of such services have been reviewed by the Commission in the past and have always been found to be of the highest

caliber. The Commission has appropriately found that "an entity that successfully addresses the complex engineering questions presented by many below-512 MHz frequency coordinations can be expected to correctly apply the express mileage separation requirements set forth in the Commission's 800 MHz and 900 MHz rules."³

AAA has a standing retainer arrangement with the law firm of Blooston, Mordkofsky, Dickens, Duffy & Prendergast, LLP and Hogan and Hartson, LLP of Washington, DC to provide legal advice and make appropriate FCC filings on specific frequency coordination issues that may arise in connection with AAA's handling of land mobile applications. More recently, AAA has retained RadioSoft to provide technical/engineering services in connection with AAA's coordinations. As discussed further below, RadioSoft, Inc. ("RadioSoft") has vast experience with land mobile applications, and has developed coordination/interference analysis software utilized by many other Commission-appointed frequency coordinators, along with other industry consultants. With the added benefits arising from the marriage of AAA's experience and that of RadioSoft, the Commission would be hard pressed to find a more experienced provider of frequency coordination services, with a wealth of expertise to research, evaluate and recommend spectrum assignments. Accordingly, there can be no hesitation on this point.

In addition, AAA has been a charter member of the Land Mobile Communications Council (LMCC), the industry organization that has worked with the Commission for years to assist with the development and implementation of Part 90 coordination, licensing and interference protection policies. AAA has been directly involved with such efforts by LMCC, and has thereby developed good working relationships with all of the other Commission-appointed coordinators (who are also members of LMCC). AAA's involvement with applicants, the LMCC, and other related organizations and groups has well prepared it to take this next step toward the provision of even greater levels of service, to provide a competitive, quality coordination service to serve the applicants that are interested in the newest technologies to serve the public on the subject radio channels.

³ See *United Telecom Council*, *id.* at para. 11. *International Association of Fire Chiefs and International Municipal Signal Association*, *Order*, DA01-1775, 16 FCC Red 14530, released July 25, 2001 (PSPWD)

AAA Technical Expertise

AAA has staff with the technical expertise to conduct frequency coordinations. As described above, AAA has also retained the services of one of the Nation's leading radio frequency engineering firms, RadioSoft, to assist with the performance of the required contour analysis for site-based loading, HAAT, ERP and determination of the maximum number of frequencies permitted by a licensee in a geographic area, site or license. In 2000, AAA established an ongoing relationship with RadioSoft, to perform frequency coordination research, assist with electronic filing and otherwise provide radio frequency (RF) engineering expertise. RadioSoft has been in business since 1981, and today provides licensing assistance, application management and engineering expertise worldwide. In 2005, RadioSoft began assisting with frequency coordination tasks for AASHTO; and in 2008, AAA expanded its relationship with RadioSoft to more fully integrate the RadioSoft capabilities into the routine application processing functions of AAA Frequency Coordination. AAA has experienced no issues of any kind in working with RadioSoft. In fact, AAA Frequency Coordination's capabilities have been significantly enhanced with the addition of the well-trained staff of RadioSoft.

RadioSoft is capable of performing all necessary research and engineering analyses for 800-900 MHz Industrial Business Pool spectrum, as it has been doing for AASHTO in both the Public Safety and Industrial/Business Pools for years. Its engineering software is in use by AAA, UTC, MRFAC, PCIA and FIT among others, all of which perform coordination in the 800 - 900 MHz bands. Its ComStudy® product is extensively used by the FCC-designated 800 MHz Transition Administrator and its subcontractors, and its RadioCompass® is now capable of testing for footprint analysis and vacated spectrum as well as DHAAAT studies according to FCC Rule Section 90.621(b). As both data provider and AASHTO client, RadioSoft was a leader in the agreement between Vacated Spectrum coordinators. RadioSoft personnel and AAA's Frequency Coordinator Department have more than seventy-eight (78) years combined experience in frequency coordination. RadioSoft employs full-time paid professionals for its coordination services from which it expects and receives the highest quality of customer service.

RadioSoft is contractually obligated to AAA to perform frequency coordination services in less than seven days on a first come, first serve basis. Coordination fees are established by AAA. RadioSoft maintains telephone, fax, e-mail and Web based access to AAA Frequency Coordination as well as a direct line to AAA's Frequency Coordinator. AAA Frequency Coordination is available worldwide via the Internet.

AAA's technical expertise is based on its continued reliance upon experienced individuals and the highest quality coordination software and engineering available. AAA continues to take responsibility for all frequency coordination activities associated with AAA Frequency Coordination and will be directly obligated to the Commission for all standards that the Commission deems appropriate in the performance of frequency coordination duties. AAA will originate all relevant policies, reporting methods, consumer contact, etc. that are the necessary duties to serve the interests of applicants. Therefore, frequency coordination is backed by the substantial resources of AAA and is concurrently supported by the experience and advanced technical ability of RadioSoft.

Nationwide Coordination Capability

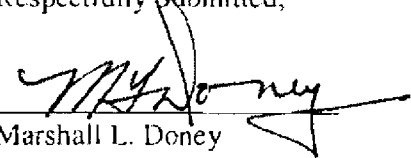
AAA currently has a national coordination capability in connection with its handling of applications below 512 MHz, and in fact has coordinated applications for land mobile stations in virtually every state. In this regard, the Commission has stated: "We note that all of the certified below-512 MHz frequency coordinators currently have nationwide coordination capabilities. We expect these entities to retain their nationwide capability for continued use in coordinating frequencies below 512 MHz, and for use in coordinating 800 MHz and 900 MHz PLMR frequencies if they choose to seek certification for these latter frequencies." *See* United Telecom Council Order, *id* at para. 13; *see also* IAFC/IMSA Order, *id* at para 17. The Commission can take official notice, based on applications filed by AAA as a coordinator over the past several years, that AAA has indeed maintained its nationwide capability.

Conclusion

The Commission has found that the introduction of alternative frequency coordinators for a given band will introduce competitive market forces that will result in lower coordination costs and better service to the public; and that these same forces will reduce the time it takes to obtain frequency coordination, thereby permitting users to commence their communications operations more rapidly. *See* United Telecom Council Order, *id* at para. 6; *see also* IAFC/IMSA Order, *id* at para. 5. As shown above, AAA is a willing and qualified partner to the Commission to provide the proposed frequency coordination services. Its unique position fosters objectivity and fairness that is necessary for effective frequency coordination. It has sought out and contracted with one of the best, if not the best, providers of frequency coordination support services and engineering expertise in RadioSoft. AAA is ready to coordinate 800-900 MHz spectrum, thereby furthering the competitive benefits discussed above.

Therefore, for the above reasons and for good cause shown, AAA requests that its proposed expanded frequency coordination services be certified by the Wireless Telecommunications Bureau pursuant to its delegated authority. *See* United Telecom Council Order, *id* at para. 7. If the Commission has any questions regarding the foregoing or requires additional information in support of this request, please contact Gary Ruark, Manager-Fleet Communications, AAA, Mailspace 15, 1000 AAA Drive, Heathrow, FL 32746-5063.

Respectfully Submitted,


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cc (via email): James Schlichting, Senior Deputy Chief, Wireless Telecommunications Bureau
Scot Stone, Deputy Chief, Mobility Division